

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

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IN RE: C.R. BARD, INC., PELVIC REPAIR  
SYSTEM PRODUCTS LIABILITY LITIGATION

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MDL NO. 2187

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IN RE: AMERICAN MEDICAL SYSTEMS, INC.  
PELVIC REPAIR SYSTEMS PRODUCTS  
LIABILITY LITIGATION

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MDL No. 2325

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IN RE: BOSTON SCIENTIFIC CORP., PELVIC  
REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION

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MDL No. 2326

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IN RE: ETHICON, INC., PELVIC REPAIR SYSTEM  
PRODUCTS LIABILITY LITIGATION

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MDL No. 2327

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IN RE: COLOPLAST CORP., PELVIC REPAIR  
SYSTEM PRODUCTS LIABILITY LITIGATION

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MDL No. 2387

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IN RE: COOK MEDICAL, INC, PELVIC REPAIR  
SYSTEM PRODUCTS LIABILITY LITIGATION

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MDL No. 2440

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IN RE NEOMEDIC PELVIC REPAIR SYSTEM  
PRODUCT LIABILITY LITIGATION

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MDL No. 2511

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*This Document Relates To All Cases*

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**MAZIE SLATER'S MOTION FOR LEAVE TO FILE A REPLY BRIEF IN SUPPORT  
OF OBJECTIONS TO THE RECOMMENDED ALLOCATION OF COMMON  
BENEFIT FEES AND THE REIMBURSEMENT OF SHARED EXPENSES AND HELD  
COSTS BY THE COURT APPOINTED EXTERNAL REVIEW SPECIALIST**

The undersigned moves the Court for leave to file a Reply Brief in Support of Objections to the Recommended Allocation of Common Benefit Fees and the Reimbursement of Shared Expenses and Held Costs by the Court Appointed External Review Specialist ("Recommended Allocation") pursuant to Local Rule 7.1. We have requested the consent of Henry Garrard, Esq., Chairman of the Fee and Cost Committee ("FCC"), to this request, but have not heard back as of the filing of this motion.

Although Pretrial Order #332 does not address reply briefs, Local Rule 7.1(a)(7) provides for the filing of reply briefs within seven days of service of a response to a motion, and only requires the Court's leave for a surreply. We respectfully submit that good cause exists here in light of the import and scope of the issues presented to allow the filing of a reply brief in accordance with the Local Rule.

A reply brief is necessary, as the FCC's 75-page response brief raises numerous factual issues, including issues not raised prior, that require clarification or outright correction, as well as legal argument and case citations that Mazie Slater has not had an opportunity to address. The record is incomplete and potentially misleading without Mazie Slater's necessary clarifications and corrections of the record, as well as responses to numerous arguments presented by the FCC for the first time in their response brief. Ultimately, it would be detrimental to the fairness of these proceedings for the record to be frozen at this time, without providing Mazie Slater the opportunity to reply to the arguments and factual assertions posed by the FCC in its 75-page response brief.

Based on the foregoing, and for good cause shown, we respectfully move the Court for leave to file a Reply Brief in accordance with Local Rule 7.1, to be filed by April 15, 2019.

Dated: April 9, 2019

Respectfully submitted,

/s/ Adam M. Slater

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 9, 2019, I electronically filed *Mazie Slater's Motion for Leave to File a Reply Brief in Support of Objections to the Recommended Allocation of Common Benefit Fees and the Reimbursement of Shared Expenses and Held Costs by the Court Appointed External Review Specialist* with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

By: /s/ Adam M. Slater

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